



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/932,543	09/17/1997	YASUSHI KAWAKURA	1701.39203	5429
7:	590 12/29/2004		EXAMINER	
JOSEPH M POTENZA			TRAN, HAI V	
BANNER & WITCOFF 1001 G STREET NW			ART UNIT PAPER NUMBER	
WASHINGTON, DC 200014597			2611	

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	\ .			
Advisory Action	08/932,543	KAWAKURA ET AL.				
Advisory Action	Examiner	Art Unit	-			
	Hai Tran	2611				
The MAILING DATE of this communication appe	ears on the cover sheet with the o	correspondence add	ress			
THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.						
PERIOD FOR REPLY [check either a) or b)]						
 a) The period for reply expires 3 months from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee 						
have been filed is the date for purposes of determining the period of extended of the shortened (b) above, if checked. Any reply received by the Office later than three moderned patent term adjustment. See 37 CFR 1.704(b).	sion and the corresponding amount of the d statutory period for reply originally set in	e fee. The appropriate ext the final Office action; or	ension fee under (2) as set forth in			
1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.						
2. The proposed amendment(s) will not be entered because:						
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);						
(b) they raise the issue of new matter (see Note below);						
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or						
(d) they present additional claims without canceling a corresponding number of finally rejected claims.NOTE:						
3. Applicant's reply has overcome the following reject	ction(s):					
4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).						
5. ☑ The a) ☐ affidavit, b) ☐ exhibit, or c) ☑ request for application in condition for allowance because: See		sidered but does NC	OT place the			
6. The affidavit or exhibit will NOT be considered be raised by the Examiner in the final rejection.	cause it is not directed SOLELY	to issues which we	re newly			
7. For purposes of Appeal, the proposed amendmen explanation of how the new or amended claims w			and an			
The status of the claim(s) is (or will be) as follows:	• •					
Claim(s) allowed: None.						
Claim(s) objected to: None.						
Claim(s) rejected: <u>5-8,10-13 and 15-18</u> .						
Claim(s) withdrawn from consideration: <u>1-4, 9, and 14</u> .						
8. The drawing correction filed on is a) approved or b) disapproved by the Examiner.						
9. Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s).						
10. Other:						
	717	TRAN EXAMINER				

Continuation of 5, does NOT place the application in condition for allowance because: In response to applicant's argument to claims 5, 7, 10 and 12 that the references Admitted Prior Art, Pinder and Oka fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "This structure is based on a concept of flexible set charges and access requirements for the content information (e.g., newspaper, magazines) that can change in value and in the mode utilization with time." and "to provide an access control method and an information utilization apparatus that are adapted to have flexibility in setting charges and access requirements for the contents of information that can change the value and the mode of utilization with time.") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

As to claims 6, 8, 11, 13, 16 and 18, Applicant further argues "Neither 'admitted prior art' or Pinder, taken independently or together, teach independently operated processing units to resolve the problem of changing values of material contents such as newspapers and magazines as recited in claims 6 and 8 or related method step of claim 11 and 13 or the related storage medium having program code instructions of claims 16 and 18." In response, it is noted that the features upon which applicant relies (i.e., "...the contents of newspapers and magazines whose values can change significantly with time" and "independently operated processing units to resolve the ploblem of changing values of material contents such as newspapers and magazines") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

PRIMARY EXAMINER